

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

BRIAN J. STRETCH (CASBN 163973)
Chief, Criminal Division

THOMAS M. O'CONNELL (NYSBN 1901850)
Assistant United States Attorney

150 Almaden Boulevard, Suite 900
San Jose, California 95113-3081
Telephone: (408) 535-5053
E-mail: thomas.m.oconnell@usdoj.gov

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	NO. 08-70028-HRL
)	
Plaintiff,)	
)	GOVERNMENT'S MOTION TO
v.)	DISMISS COMPLAINT AND
)	PROPOSED ORDER
CHRISTINE RUIZ,)	
)	
Defendant.)	
_____)	

COMES NOW THE UNITED STATES OF AMERICA appearing through the undersigned Assistant United States Attorney and moves this Honorable Court for an order dismissing the above-captioned complaint. The facts supporting this request are as follows:

The Government has been advised by Pre Trial Services that the defendant has been arrested by local authorities based upon the same conduct charged in the instant complaint, and is currently being held in custody on those charges. Consequently, the decision has been made to defer to the County of Santa Clara to pursue the charges in their forum.

Accordingly, the government respectfully requests that the above-captioned complaint

1 be dismissed.

2
3
4 Respectfully submitted,

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7
8 DATED: February 7, 2008

9
10
11
12 /S/
THOMAS M. O'CONNELL
Assistants United States Attorney

13
14
15
16
17
18
19
20 **ORDER**

21 Upon application of the United States, and good cause having been shown,

22 **IT IS HEREBY ORDERED** that the above-captioned complaint is DISMISSED.
23
24
25
26

DATE:

PATRICIA V. TRUMBULL
United States Magistrate Judge

Distribute to:

Thomas M. O'Connell
Assistant United States Attorney
150 Almaden Boulevard, Suite 900
San Jose, CA 95113

**GOVT. REQUEST TO DISMISS COMPLAINT;
ORDER]**